

1 Andrew C. Schwartz (State Bar No. 64578)  
Larry E. Cook (State Bar No. 122776)  
2 **CASPER, MEADOWS, SCHWARTZ & COOK**  
A Professional Corporation  
3 California Plaza  
2121 North California Blvd., Suite 1020  
4 Walnut Creek, California 94596  
Telephone: (925) 947-1147  
5 Facsimile: (925) 947-1131

6 Attorneys for Plaintiff  
SHAWN DAY  
7

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA

11 SHAWN DAY, individually and as successor in  
interest to the Estate of Steffen Matthew Day,

12 Plaintiff,  
13

14 vs.

15 COUNTY OF CONTRA COSTA, JOSHUA  
PATZER, WARREN RUPF, and Does 1  
through 50, et al.,  
16

17 Defendants.

Case No. C07-4335-PJH

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
EXTENDING THE MEDIATION DEADLINE**

Judge: Hon. Phyllis J. Hamilton

18 IT IS HEREBY STIPULATED between the parties that due to the parties' inability to  
19 complete necessary discovery by April 30, 2008, it is necessary to continue the date for  
20 mediation for approximately one month. The parties and the mediator have tentatively  
21 selected May 19, 2008 for mediation. The parties will complete the deposition of plaintiff and  
22 defendant Deputy Patzer prior to May 19, 2008. The mediation was initially set by the parties  
23 for March 20, 2008 and rescheduled to April 30, 2008.

24 Per the Court's Case Management and Pretrial Order of November 30, 2007, the  
25 parties were supposed to complete mediation within 120 days of the order, essentially by  
26 March 30<sup>th</sup> and continued by Stipulation to April 30, 2008. Due to the reasons stated above,  
27 the parties were unable to complete mediation by April 30, 2008. The parties now need a  
28 second extension to complete the mediation. All parties are available for this mediation date

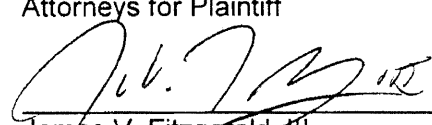
1 which has recently been confirmed for May 19, 2008.

2 This requested extension will not impact any other dates from the Court's November  
3 30<sup>th</sup> Case Management and Pretrial Order.

4  
5  
6 Dated: 4/28/08

  
Andrew C. Schwartz  
Larry E. Cook  
**CASPER, MEADOWS, SCHWARTZ & COOK**  
Attorneys for Plaintiff

7  
8  
9 Dated: 4/28/08

  
James V. Fitzgerald, III  
Noah G. Blechman  
**MCNAMARA, DODGE, NEY, BEATTY, SLATTERY,  
PFALZER, BORGES & BROTHERS LLP**  
Attorneys for Defendant

ORDER

The parties have demonstrated good cause to modify the Court's November 30, 2007, Case Management and Pretrial Order in this matter as follows:

Mediation shall now be ordered to be completed by May 19, 2008.

IT IS SO ORDERED.

Dated: April 29, 2008

